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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,831	10/11/2001	Kamal Acharya	NETS0085	3000
22862 7590 01/25/2008 GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			EXAMINER DUNHAM, JASON B	
			ART UNIT 3625	PAPER NUMBER
			MAIL DATE 01/25/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

09/975,831

**Applicant(s)**

ACHARYA ET AL.

**Examiner**

JASON B. DUNHAM

**Art Unit**

3625

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 3 and 6-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3, and 6-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/88)
- Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

Applicant did not amend, cancel, or add any claims in the response filed August 30, 2007 in reply to the office action dated May 30, 2007.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,3, and 6-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pricescan (PTO-892, Ref. U) in view of Biswas (US 6,594,666).

Referring to claim 1. The combination of Pricescan and Biswas discloses a method for providing an integrated electronic list of providers, comprising:

- Determining at least one online provider for an item (Pricescan: page 4);
- Determining at least one offline provider for an item (Pricescan: page 4);
- Wherein the determining steps follow a request for a product (Pricescan: page 10);
- Wherein when the request is for a desired geographical area, a user may choose one of several target locations, which have been previously created and stored (Biswas: abstract and column 5, lines 25-30);

- Wherein when the request is for a predetermined proximity to a target location, the user may choose a radius for said target location (Biswas: abstract and column 5, lines 25-30); and
- Integrating the at least one online provider with the at least one offline provider to provide an integrated list of providers for the item (Pricescan: page 4); and
- Distinguishing online providers from offline providers in said integrated list (Pricescan: page 4).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have modified the method of Pricescan to have included requests for geographical areas wherein a user may choose a target location and requests for a proximity to a target location wherein a user may choose a radius to said target, as taught by Biswas, in order to allow the user to receive comparison shopping within a geographic area of interest.

Referring to claim 3. The combination of Pricescan and Biswas further discloses a method wherein the request is for a product category (Pricescan: Page 3).

Referring to claim 6. The combination of Pricescan and Biswas further discloses a method including providing comparison information for the at least one online provider and the at least one offline provider for the item (Pricescan: pages 3-5).

Referring to claims 7-13. The combination of Pricescan and Biswas further discloses methods wherein the comparison information includes price, rating, review, availability, promotion, electronic wallet, and return-policy comparison (Pricescan: pages 3-12).

Referring to claim 14. The combination of Pricescan and Biswas further discloses a method providing comparison information about at least two offline providers (Pricescan: page 4).

Referring to claims 15-16. The combination of Pricescan and Biswas further discloses a method wherein the comparison information includes in-store return and pick-up policies of online purchase (Pricescan: page 4).

Referring to claims 17-18. The combination of Pricescan and Biswas further discloses a method wherein the comparison information includes special promotions and coupon availability information (Pricescan: page 4).

Referring to claims 19-20. The combination of Pricescan and Biswas further discloses a method wherein the comparison information includes proximity and direction to the at least two offline providers (Biswas: column 5, lines 25-30).

Referring to claim 21. The combination of Pricescan and Biswas further discloses a method wherein the comparison information includes user review (Pricescan: page 12).

Referring to claims 22-23. Claims 22-23 are rejected under the same rationale set forth above.

Referring to claim 24. The combination of Pricescan and Biswas further discloses a system implemented on a network environment (Pricescan: pages 3-12).

Referring to claim 25. The combination of Pricescan and Biswas further discloses a system wherein the network environment comprises a global communications network (Pricescan: pages 3-12).

### ***Response to Arguments***

Applicant's arguments filed August 30, 2007 have been fully considered but they are not persuasive. The examiner notes page 12 of the Pricescan reference displaying a radio button allowing a user to sort items by price and then by a list of available stores. The examiner has further considered applicant's argument as discussed in the interview on August 29, 2007, however the 35 USC 103 rejection is maintained. Pricescan allows a user to distinguish an online provider from an offline provider with a store. It would be inherent within Pricescan to distinguish between online and offline providers in order to allow users to determine the best method of purchasing goods.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON B. DUNHAM whose telephone number is (571)272-8109. The examiner can normally be reached on M-F, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JBD  
Patent Examiner  
1/22/08

/Matthew S Gart/  
Primary Examiner, Art Unit 3625